IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION (LODGING) NO. 65 OF 2005

IN

WRIT PETITION NO. 1438 OF 2005

S.A.K.COLOMBOWALLA ... PETITIONER.

VS.

MS. BHAGAT ERECTORS &
DEV.SERVICES(I)LTD.
AND ORS. ... RESPONDENS.

MRS. SUMEDHA RAO FOR THE PETITIONERS.
S.A.DIVAN A/W. R.B.JAIN I/B. LEGAL JURIS FOR RESPONDENT NO.1.
MR. A.V.BOOKWALA I/B. SAIRA MIRZORKAR FOR RESPONDENT NOS. 2 AND 3.
MR. SANJAY JAIN I/B. MAHIMTURA & CO. FOR RESPONDENT NO.4.

Coram : S.K.Shah, J.

Date : August 19, 2005.

P.C.:

1. Heard the learned Counsel on both sides.

2. The allegations, which are made in Paragraph 5 of the Petition are not incorporated in the Order, of which

the contempt is alleged to have been committed.

3. As regards paragraph No.8 about the Respondent No.4 being carrying out non-I.T. business in the premises, having been permitted by Respondent No.1. That was also not the contention incorporated in the letter dated 11.10.2002.

4. Moreover, the learned Counsel for the Petitioner states that although the business is being carried out by Respondent No.4 in the premises, no contempt is alleged against the Respondent No.4, as the Respondent No.4 was not party to the contempt petition.

5. The learned Counsel for the Petitioners pointed out paragraph No.16 of the letter, dated 11.10.2002. Paragraph 16 mentions that " The Registration of I.T. of Government Body will be submitted". That has nothing to do with the prohibition on carrying out the non-I.T. business.

6. Under the circumstances, I do not find any merit in this contempt petition. The contempt petition accordingly stands dismissed.

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[S.K.Shah , J.]